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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/380,447      | 09/01/1999  | Sachdev S. Sidhu     | PI581R2             | 2633             |

23552 7590 06/19/2007  
MERCHANT & GOULD PC  
P.O. BOX 2903  
MINNEAPOLIS, MN 55402-0903

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| EXAMINER |
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STEELE, AMBER D

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

1639

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|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

06/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                         |                                      |                                      |  |
|-------------------------|--------------------------------------|--------------------------------------|--|
| <b>Notice to Comply</b> | <b>Application No.</b><br>09/380,447 | <b>Applicant(s)</b><br>S IDHU ET AL. |  |
|                         | <b>Examiner</b><br>A. D. Steele      | <b>Art Unit</b><br>1639              |  |

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: See attached PTO-90C and interview summary

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

For CRF Submission Help, call (571) 272-2501/2583.

PatentIn Software Program Support

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|------------------------------------|-------------------------|---|---------------------------------------|
| APPLICATION NO.<br><b>09380447</b> | FILING DATE<br>9/1/1999 | FIRST NAMED INVENTOR<br><b>SIDHU ET AL.</b> | ATTORNEY DOCKET NO.<br><b>P1581R2</b> |
|------------------------------------|-------------------------|---|---------------------------------------|

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EXAMINER

Amber D.. Steele

|          |       |
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| ART UNIT | PAPER |
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1639

20070607

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

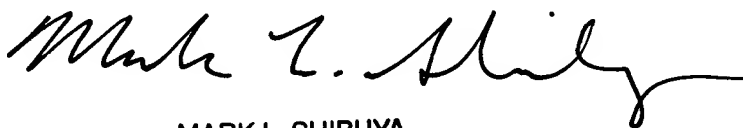
Commissioner for Patents

- 1)The present application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821 (a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825. Specifically, claims 4, 52, 53, 54, 56, 57, 58, 61, 62, 63 contain variable sequences without proper SEQ ID NO(s): (e.g. only variable residues are provided). In addition, pages 12 (e.g. His(5), (Gly)8, etc.), pages 41-42, page 73 (line 3), page 81 (lines 5 and 7), and page 84 (line 1) contain sequences without proper SEQ ID NOs:. Applicant is also requested to carefully review the specification for any additional sequences that require compliance to the sequence rules.
- 2) Please note: claim number 59 is missing from the claims received on March 15 2007.
- 3) Please refer to MPEP § 2422.03. In those instances in which prior art sequences are only referred to in a given application by name and a publication or accession reference (e.g. variations of a WT protein indicated by residue number only), they need not be included as part of the "Sequence Listing," unless an examiner considers the referred- to sequence to be "essential material," per MPEP § 608.01(p). It is generally acceptable to present a single, general sequence in accordance with the sequence rules and to discuss and/or claim variants of that general sequence without presenting each variant as a separate sequence in the "Sequence Listing."
- 4)Applicant is given ONE MONTH from the date of this letter within which to comply with the Sequence Rules, 37 CFR 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In NO case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.
- 5)Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amber D. Steele whose telephone number is 571-272-5538. The examiner can normally be reached Monday through Friday 9:00AM-5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Schultz can be reached at 571-272-0763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status

information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ADS

June 7, 2007

A handwritten signature in black ink, appearing to read "Mark L. Shibuya", with a long horizontal flourish extending to the right.

MARK L. SHIBUYA  
PRIMARY EXAMINER